

UNITED STATES DISTRICT COURT  
DISTRICT OF MONTANA  
HELENA DIVISION

BEAR GULCH SOLAR, LLC, et al,

Plaintiffs,

vs.

MONTANA PUBLIC SERVICE  
COMMISSION, et al,

Defendants.

Case No. CV-18-006-H-CCL

JUDGMENT IN A CIVIL CASE

**Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

**X Decision by Court.** This action came before the Court for bench trial, hearing, or determination on the record. A decision has been rendered.

IT IS ORDERED AND ADJUDGED pursuant to the Opinion and Order (Doc. 79), filed on 11/30/2018. Judgment is entered in favor of Plaintiffs and against Defendants in the form of a declaratory judgment holding that the Whitehall Wind test utilized by Defendants in Order 7500 for determining QFs' continued eligibility to sell at rates under the prior QF-1 Tariff violates PURPA and its implementing regulations. It is Further Ordered that Judgment is entered in favor of Defendants in an order dismissing Part B of Plaintiffs' prayer for relief.

Dated this 30th day of November 2018.

TYLER P. GILMAN, CLERK

By: /s/ Heidi Gauthier  
Heidi Gauthier, Deputy Clerk